EXHIBIT E

From:	Maxwell Pritt <mpritt@BSFLLP.com>
Sent:	Tuesday, November 26, 2024 14:05
To:	Lauter, Judd; Llama C-Counsel
Cc:	z/Meta-Kadrey; Dunning, Angela L.
Subject:	RE: Kadrey v. Meta - Meet and confer follow-up

[External]

Counsel,

Following up on yesterday's 2 PM PT M&C, Plaintiffs agree the following issues are moot in light of the responses/compromises in Judd's 1:55 PM email from yesterday (11/25):

- Plaintiffs' ROGs 19, 20, 22
- Plaintiffs' RFAs 44 and 98
- Plaintiffs' RFPs 120 and 134

Separately, as confirmed on yesterday's M&C, the parties are at an impasse on the following issues:

- Plaintiffs' RFPs 118-119
- Plaintiffs' RFPs 121-122

Plaintiffs do intend to brief RFPs 118-119 and 121-122. We note that Meta maintains its refusal to produce documents and communications responsive to RFP 119 despite our offered compromise so we will move in full on that RFP. We also note that Meta has not clarified its intended scope of its limitation on RFP 118 to "sufficient to show Meta's training data memorization mitigations for the Llama Models (as construed above)"—please let us know if Meta is excluding both Llamas 4 and 5, and if Meta excluding documents and communications concerning Meta's stripping or removing of copyright management information from copyrighted material.

Our plan is to send a draft letter brief at 3 PM PT next Monday for Wednesday turnaround and filing. Thank you.

Best,
Max

From: Lauter, Judd <jlauter@cooley.com>
Sent: Monday, November 25, 2024 1:55 PM
To: Llama C-Counsel <llama_cocounsel@bsfllp.com>
Cc: z/Meta-Kadrey <zmetakadrey@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>
Subject: Kadrey v. Meta - Meet and confer follow-up

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Counsel,

In advance of today's meet and confer, Meta has set forth its responses to the unresolved issues detailed below. Except as to RFPs 121 and 122, we believe these issues are now moot. We look forward to your confirmation of the same.

Regards,

Judd

Issue / ROG	Response / Compromise
ROG 17	Meta will amend its response to this Interrogatory to read as follows: Subject to and without waiving the foregoing objections, Meta responds as follows: Meta is not relying on the advice of counsel defense.
ROG 19	Meta will amend its response to provide a high-level explanation of the identified documents and what they show regarding Meta's revenue from its partnerships.
ROG 20	Meta will provide a description of its agreements with Amazon, Google, and Microsoft, in addition to producing copies of those agreements.
ROG 22	In light of Meta's agreement to amend the foregoing responses, we understand that Plaintiffs will drop their demands as to this Interrogatory.

Issue / RFAs	Response / Compromise
Disputed Definitions (of "Dataset" and Llama Models")	Meta will not construe "Llama Models" to encompass Llama "5." However, Meta is prepared to construe "Llama Models" to include Llama 4, and "Datasets" to include web-scraped data. This will not change Meta's RFA responses, except as to RFA 15 because, as relevant to that RFA, Llama 4 remains in development.
RFA No. 44	We understanding that in light of Meta's compromise on the foregoing interrogatories and RFA No. 98, Plaintiffs will drop their demands as to this RFA.
RFA No. 98	Plaintiffs clarified during a call last week that Meta can construe this RFA to read "Admit that you used books data included in Books3 to train one or more of your large language models. With this clarification Meta will amend its response to RFA 98.

Issue / RFPs	Response / Compromise

RFP No. 120	Meta has produced all commits and pull requests for the repositories provided to date. Meta will produce these commits and pull requests in text format independent of the source code computer.
RFPs 121 and 122: Plaintiffs are willing to narrow requests to: • The production and application code underlying the https://www.meta.ai/ chatbot, including all code that encompasses, supports, and integrates the models into meta.ai. • The components of Facebook and Instagram that "incorporat[e] already-trained Llama models," including the portions of code that encompass, support, and integrate those models into Facebook and Instagram. • any of the source code repositories mentioned in Appendix A to Dr. Jonathan Krein's November 6, 2024 declaration that are relevant to these RFPs.	Meta has produced the source code repositories mentioned by Dr. Krein. However, Meta disagrees that the additional code requested is relevant or proportional.
RFP 134 (seeks documents concerning the "value of books")	Plaintiffs clarified that by "value of books" they mean both the rationale for using books as training data and financial cost associated with licensing, With that clarification, Meta has, in response to this and other Requests, conducted a reasonable search for documents responsive to this Request. Accordingly, there does not appear to be a dispute concerning RFP 134.